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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Procedures for Reviewing Requests for
Relief From State and Local Regulations
Pursuant to Section 332(c)(7)(B)(v)
Communications Act of 1934

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)
) WT Docket No. 97-192
)
)
)

Guidelines for Evaluating the
Environmental Effects of Radiofrequency
Radiation

) ET Docket No. 93-62
)
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)

Petition for Rulemaking of the Cellular
Telecommunications Industry Association
Concerning Amendment of the
Commission's Rules to Preempt State
and Local Regulation of Commercial
Mobile Radio Service Transmitting
Facilities

) RM-8577
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To: The Commission

REPLY COMMENTS

Ameritech Mobile Communications, Inc. (Ameritech) by its attorneys, hereby submits its Reply Comments to the November 26, 1997 Comments of AT&T Wireless Services, Inc. (AT&T Wireless) in the above captioned proceeding. AT&T Wireless lends further support to Ameritech's showing that the Commission's interim policy on State and local radiofrequency (RF) radiation regulation adopted in the Second Memorandum Opinion and Order and Notice of Proposed Rule Making create an undue burden on the wireless telecommunications industry. AT&T Wireless confirms that carriers should not be required to perform detailed RF measurements and calculations for categorically exempt facilities.

In response to Ameritech's request that the Commission provide more guidance on the issues of sharing of compliance costs, cooperation by site owners, and warning sign requirements, AT&T Wireless indicates that industry-developed protocols are preferable to further Commission regulation. Ameritech certainly agrees that industry-developed protocols

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would play a valuable role in addressing these issues, and Ameritech advocated the use of industry fora in its September 6, 1996 Petition for Reconsideration and/or Clarification (at p. 2). As the hour of compliance is now upon the industry, Ameritech believes that further guidance from the Commission on these issues would be useful, especially for purposes of establishing a degree of uniformity. If industry guidelines could be developed rapidly enough, Ameritech is certainly agreeable to AT&T Wireless' proposal that the Commission endorse these guidelines, rather than adopting separate regulations. Ameritech repeats its willingness to participate in this process.

However, Ameritech is concerned that industry standards may not be entirely effective as a way to elicit the necessary assistance from antenna site owners. Existing site owners may not have adequate incentive to renegotiate lease agreements, to enable licensees to verify compliance with the RF rules in the timeframe now required. Therefore, a binding Commission policy may still prove necessary.

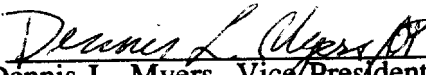
Finally, Ameritech agrees with AT&T Wireless that there may be some situations in which 90 days is not an adequate period of time for existing licensees to achieve compliance once a site is modified by a new applicant. Such situations may arise for rooftop sites, some of which may have 30 or 40 different radio facilities in operation. Therefore, Ameritech concurs with AT&T's proposal for a 90 day period for evaluating compliance, followed by an additional period of time for achieving compliance.


Conclusion

In light of the foregoing, it is respectfully requested that the Commission grant Ameritech's Petition for Partial Reconsideration and/or Clarification, with the modifications discussed above.

Respectfully submitted,

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Filed: December 10, 1997

CERTIFICATE OF SERVICE

I, Elizabeth A. Ohr, an employee in the law firm of Blooston, Mordkofsky, Jackson & Dickens hereby certify that on the 10th day of December, 1997, copies of the foregoing "Reply Comments" were deposited in the U.S. Mail, postage prepaid, or by hand delivery, by messenger (*) to the following:

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